

Remarks

Claims 70, 76, and 80 have been amended leaving claims 70-81 pending in the application.

Claims 70, 76, and 80-81 stand rejected as failing to comply with the written description requirement. Claims 76 and 80 have been amended to correct errors of a clerical nature. As amended it is believed claims 76 and 80 now comply with the written description requirement.

Claim 70 has been amended and as amended recites an atomic layer deposition apparatus that includes a chamber configured to receive substrate for deposition, the chamber having lateral inner walls. Claim 70 further recites a piezoelectric liner extending substantially parallel to at least a portion of the one of the lateral inner walls, the liner being configured to be lateral of edges of the substrate upon receipt within the chamber. Claim 70 then recites at least a pair of acoustic wave drivers on the liner.

Claim 70 has been rejected as both obvious under 35 USC § 103, and lacking support under 35 USC §112. With regard to the §112 rejection, the claim is supported by both Figures 1 and 2 as well as the originally filed specification.

The current office action relays that “liner . . . to be lateral of edges of the substrate”, is not supported. However, page 9 of the originally filed specification relates Figs. 1 and 2 at least in the last paragraph where it is stated that “the surface 185 may be a piezoelectric liner 200 that is deployed proximate at least a portion of the inner wall of the reactor

chamber 105 shown in Figure 1.” For at least this reason claim 70 is supported by the originally filed specification and this rejection should be withdrawn.

With regard to the 35 USC § 103 rejection, initially, an Examiner bears the burden of factually supporting any conclusion of obviousness. The Applicants need not submit any evidence of non-obviousness until the Examiner produces a prima facie case that the claims are obvious. One of the parts of the prima facie case is that all of the claimed limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580, 582-3 (CCPA 1974). Here, the cited references fail to teach “a piezoelectric liner extending substantially parallel to at least a portion of the one of the lateral inner walls” as recited in claim 70.

The Examiner has relied on the ‘211 reference for this limitation and specifically elements 202A and 202B of Fig. 19. However, these elements do not extend substantially parallel to at least a portion of one of the lateral inner walls of the processing chamber. Col 18, lines 9-18 recites that 202A is a bottom plate and 202B is a cover. For at least the reason the cited references, either alone or in combination, fail to teach all the elements of claim 70, claim 70 is allowable.


Claims 71-81 depend from claim 70 and are allowable for at least the reasons given above as well as other patentable features. For example, claim 70 recites that the wave drivers are on the liner and claim 80 relying on claim 78 recites each of the electrodes including a conductive backbone

having a plurality of conductive prongs extending therefrom. The cited references fail to teach these features. The '139 reference fails to disclose a liner within the chamber and the '502 reference fails to disclose the electrodes on a liner. In fact, not one of the cited references teaches or suggests electrodes on a liner. For at least these additional reasons, claims 78-81 are allowable.

If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the Examiner is requested to contact the undersigned at (509) 624-4276 between the hours of 8:00 a.m. and 5:00 p.m. (PST).

Respectfully submitted,

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